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10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA  
12 FRESNO DIVISION

13  
14 JAMES JOHN ROMO,  
15 Plaintiff,  
16 v.  
17 KILOLO KIJAKAZI,  
18 Acting Commissioner of Social Security,  
19 Defendant.<sup>1</sup>

No. 1:21-cv-01587-EPG

STIPULATION AND ORDER FOR EXTENSION  
TO FILE DEFENDANT'S OPPOSITION TO  
PLAINTIFF'S OPENING BRIEF  
(ECF No. 16)

20 IT IS HEREBY STIPULATED, by and between James John Romo (Plaintiff) and Kilolo  
21 Kijakazi, Acting Commissioner of Social Security (Defendant), by and through their respective  
22 counsel of record, that, with the Court's approval, Defendant shall have an extension of time of  
23 sixty (60) days to file a Response to Plaintiff's Opening Brief. This is Defendant's first request  
24 for an extension on her Response to Plaintiff's Opening Brief. The current due date is September  
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26 \_\_\_\_\_  
27 <sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to  
Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore,  
for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit  
28 by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 15, 2022. The new date will be November 14, 2022. All other deadlines will extend accordingly.

2 Good cause exists for this request. Defendant's counsel has worked diligently to meet the  
3 timelines provided by the Court but has been prevented from doing so by her very full briefing  
4 schedule. Defendant's counsel has eighty-one other active cases in various stages of litigation,  
5 and 18 responsive briefs due in the next 30 days. Additionally, Defendant's counsel has other  
6 responsibilities with another practice group in her office where the work cannot be extended.  
7 Defendant requests this extension in good faith, and with no intent to delay these proceedings  
8 unnecessarily. Defendant apologizes to the Court for any inconvenience caused by this delay.  
9 Defendant's counsel contacted Plaintiff's counsel on September 2, 2022, and he had no objection  
10 to this request.

11 Respectfully submitted,

12 DATE: September 2, 2022

13 */s/ Jonathan Omar Pena*  
14 JONATHAN OMAR PENA  
15 Attorney for Plaintiff  
16 (as approved via email)

17 DATE: September 2, 2022

18 By *s/ Margaret Lehrkind*  
19 MARGARET LEHRKIND  
20 Special Assistant United States Attorney  
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Attorneys for Defendant

## **ORDER**

Based on the above stipulation (ECF No. 16), IT IS ORDERED that Defendant shall file Defendant's response to Plaintiff's opening brief no later than November 14, 2022. All other deadlines in the Court's scheduling order are extended.

IT IS SO ORDERED.

Dated: **September 6, 2022**

/s/ Eric P. Gross  
UNITED STATES MAGISTRATE JUDGE